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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR §1.8

I hereby certify that this correspondence, totaling 3 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:

Date: April 27, 2010 Name: Michael S. Gzybowski Signature: /Michael S. Gzybowski/

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Takayuki NISHIZAKA, et al.

Appln. No.: ~~44/999,497~~ 10/579,880

For: THREE DIMENSIONAL, POSITION
OBSERVATION METHOD AND
APPARATUS

Attorney Docket No.: 14165-003

Conf. No.: 3447

Filed: April 2, 2009

Examiner: Not yet assigned

Art Unit: 2877

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Attached is/are:

TRANSMITTAL

☒ Power of Attorney to Prosecute Applications Before the USPTO; and Statement Under 37 CFR 3.73(b).

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 CFR § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$28=			x \$52=	
Indep.		Minus			x \$110=			x \$220=	
First Presentation of Multiple Dep. Claim					+\$195=			+\$390=	
Total					\$			Total \$	

Fee payment:

- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

April 27, 2010

Date

/Michael S. Gzybowski/

Michael S. Gzybowski (Reg. No. 32,816)

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